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**FILED**

**NOV - 7 2007**

**RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

**In re JDS UNIPHASE CORPORATION  
SECURITIES LITIGATION**

**Master File No. C-02-1486 CW (EDL)**

**This Document Relates To: All Actions**

**STIPULATION ~~AND [PROPOSED]~~  
ORDER REGARDING DEPOSITION  
TESTIMONY**

**STIPULATION AND [PROPOSED] ORDER REGARDING DEPOSITION TESTIMONY  
MASTER FILE NO. C-02-1486 CW (EDL)**

**sf-2417032**

WHEREAS, between October 25 and November 1, 2007, Plaintiffs presented testimony from the depositions of the following thirteen witnesses: Thomas Pitre, Rick MacMillan, Kumar Visvanatha, Eldred Newland, Gordon Buchan, Jose Mejia, Ed Grabowy, Roger Miskowicz, Alison Reynders, Harry Deffebach, Bob Russell, Bryant Hichwa, and Peter Heywood;

WHEREAS, the Court requested that the parties stipulate to the time that should be allocated to each side during the presentation of deposition testimony to the jury;

WHEREAS, the parties have met and conferred and reached an agreement as to the time that should be allocated to the parties for their respective designations of testimony from the depositions of these thirteen witnesses;

IT IS HEREBY STIPULATED by and between the parties, through their counsel of record, that:

1. The following table sets forth the time that should be allocated to Plaintiffs and Defendants for each of the witnesses presented by deposition between October 25 and November 1, 2007:

Deposition Witness	Plaintiffs' Time	Defendants' Time	Total Time
Thomas Pitre	1:02:50	0:30:07	1:32:57
Rick MacMillan	0:30:02	0:06:48	0:36:50
Kumar Visvanatha	0:48:09	0:10:44	0:58:53
Eldred Newland	0:43:48	0:07:16	0:51:04
Gordon Buchan	0:42:31	0:09:03	0:51:34
Jose Mejia	0:06:25	0:05:42	0:12:07
Ed Grabowy	0:17:57	0:07:17	0:25:14
Roger Miskowicz	0:18:51	0:10:53	0:29:44
Alison Reynders	0:19:11	0:13:05	0:32:16
Harry Deffebach	0:11:36	0:09:48	0:21:24
Bob Russell	0:16:47	0:05:53	0:22:40
Bryant Hichwa	0:03:44	0:02:56	0:06:40
Peter Heywood	0:04:31	0:01:28	0:05:59
<b>Total:</b>	<b>5:26:22</b>	<b>2:01:00</b>	<b>7:27:22</b>

1 Dated: November 5, 2007

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17 Dated: November 5, 2007

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20 IT IS SO ORDERED.

21 Dated: November 7, 2007

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23 HONORABLE CLAUDIA WILKEN  
24 United States District Court Judge  
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GENERAL ORDER 45 ATTESTATION

I, Philip T. Besirof, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding Deposition Testimony. In compliance with General Order 45, X.B., I hereby attest that Michael W. Stocker, attorney for Lead Plaintiff Connecticut Retirement Plans and Trust Funds, and Howard S. Caro, attorney for Defendant Kevin Kalkhoven, have concurred in this filing.

Dated: November 5, 2007

MORRISON & FOERSTER LLP

By: /s/ Philip T. Besirof

Philip T. Besirof

Counsel for Defendants JDS Uniphase Corporation, Charles Abbe, Jozef Straus, and Anthony Muller